

**9-415. Notice of dismissal - non felony case.**

*[For use with Magistrate Court Rule 6-506,  
Metropolitan Court Rule 7-506 and  
Municipal Court Rule 8-506]*

STATE OF NEW MEXICO  
[COUNTY OF \_\_\_\_\_]  
[CITY OF \_\_\_\_\_]  
\_\_\_\_\_ COURT

[STATE OF NEW MEXICO]  
[CITY OF \_\_\_\_\_]

v.

No. \_\_\_\_\_

\_\_\_\_\_, Defendant

**NOTICE OF DISMISSAL**

The complaint filed in this case is dismissed without prejudice.

\_\_\_\_\_  
Prosecutor or complainant

**CERTIFICATE OF SERVICE**

I hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ this notice was

[mailed by United States mail, postage prepaid, and addressed to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State  
and zip code: \_\_\_\_\_]

[faxed by \_\_\_\_\_ (*name of person who faxed*) to the defendant. The transmission was reported as complete and without error. The time and date of the transmission was \_\_\_\_\_ [a.m] [p.m] on \_\_\_\_\_ (*date*).]

[e-mailed to \_\_\_\_\_ (*name of person who transmitted*) to \_\_\_\_\_ at \_\_\_\_\_ (*electronic address of recipient*) which address is on file with the clerk of the Supreme Court. The transmission was successful. The time and date of the transmission was \_\_\_\_\_ [p.m] [a.m] on \_\_\_\_\_ (*date*).]

\_\_\_\_\_  
Signature of attorney

\_\_\_\_\_  
Date of signature

*If this notice was served by a person other than an attorney, the following must also be completed and filed with the court:*

### **AFFIDAVIT OF SERVICE**

I declare under penalty of perjury that a copy of this notice of dismissal was served by [mail] [fax] [electronic transmission] as described above on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_:

\_\_\_\_\_  
Signature of person who made service

Subscribed and sworn to before me

this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

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Judge, notary or other officer  
authorized to administer oaths

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Official title

#### **USE NOTE**

This form may be used to dismiss or *nolle prosequi* a non-felony case without prejudice.  
Use Criminal Form 9-415A NMRA for felony cases.

[As amended, effective August 1, 1999.]